

22. (Previously Added) A method according to claim 21, wherein the first telephone network in the monitoring step includes an inter-exchange carrier network, and the second telephone network in the transmitting step includes a local exchange carrier network.

B+ 23. (Previously Added) A method according to claim 21, wherein the special service calls are associated with a terminating special service number that includes one of a toll-free number, a calling card number, and a special rate number.

24. (Previously Added) A method according to claim 21, wherein the common originating number in the monitoring step originates from a private branch exchange (PBX) communicating with the second telephone network.

25. (Previously Added) A method according to claim 21, further comprising:
selectively forwarding the subsequent special service call for further processing in an
Intelligent Service Network (ISN) platform; and
selectively tearing down the subsequent special service call.

REMARKS

By this amendment, claims 1-5, 7-8, 10-14, 17-18, and 21-25 are pending. Claim 17 was amended to correct a discovered informality. No new matter is introduced.

The Office Action mailed March 31, 2003 rejected claims 1-5, 7-8, 10-11, 14, 17-18, and 21-25 as obvious under 35 U.S.C. § 103 based on *Rangachar*. (US 5,495,521), and claim 9, and 12-13 as obvious under 35 U.S.C. § 103 based on *Rangachar* in view of *McConnell* (US 5,436,957).

As an initial matter, it appears that the Office Action, on page 3, inadvertently omitted claims 12 and 13 in the summary of the rejection under 35 U.S.C. § 103 based on *Rangachar* in view of *McConnell*, as page 4 of the Office Action refers to claims 12 and 13. Therefore, Applicants assume claims 12 and 13 are rejected as obvious over the *Rangachar* and *McConnell* combination.

Applicants respectfully traverse the rejection of claim 1-5, 7-8, 10-11, 14, 17-18, and 21-25 because *Rangachar* does not teach or otherwise suggest the features of the claims. For example, independent claim 1 recites “**storing an originating phone number** associated with the call **in a database within an inter-exchange carrier network** if the call is suspicious.” Claim 10 is directed to “a fraud prevention system for **blocking special service calls within an inter-exchange carrier network**,” and recites “means for blocking a special service call **originating from a local exchange carrier network**.” Claim 21 recites “**storing the common originating number within a database accessible by the first telephone network** if the special service calls generate a fraud alert” and “transmitting the stored originating number to another database accessible by a second telephone network for **blocking within the second telephone network**.”

The Office Action, on page 2, states that *Rangachar* teaches the claimed device except for the IXC, explaining that “if the TSN is the LEC, note at Col. 11, lines 37+, which describe that CS1, could be remote, it would have been obvious to one of ordinary skill in the art to place the CS1 wherever it was deemed necessary, for example, at the IXC.” In support of this interpretation, the Office Action, on page 2, seems to equate the CS1 of *Rangachar* to the “database within an inter-exchange carrier network” as claimed. Applicants respectfully disagree with such an interpretation.

In the *Rangachar* system, a control system CS1 accesses data from the call detail recording platforms (CSRPs) RP1 and RP2 as part of a detection of fraud events. (Col. 2:62-64) The control system CS1 also exchanges data with a fraud intelligence unit F11. (Col. 3:32-33) The fraud intelligence unit F11 stores ANI's from detected fraud events, as well as originating and terminating numbers from detected fraud events. (Col. 3:52-54) The CS1 "accesses the data from the CSRPs and the F11 and matches the accessed data with a set of rules which the control system stores." (Col. 4:6-9) Therefore, the CS1 has no capability of "storing an originating phone number associated with the call in a database within an inter exchange carrier network," in the manner claimed; that is, the CS1 simply contains rules which define the existence of various levels of fraud events, and cannot constitute a database storing the originating phone number. Accordingly, it is irrelevant where the CS1 resides, as the features of the claims cannot be met.

Furthermore, the Office Action suggests because *Rangachar* mentions that the CS1 can be "remote," this discloses the possibility of locating the CS1 within the IXC. The cited passage, col. 11, lines 37-38, in pertinent part, states that the "Control System CS1 can be located centrally or in a distributed manner as one per switch office." Based upon this disclosure, the Office Action, without any motivation from *Rangachar*, takes an unreasonable and untenable technical leap, interpreting this general description about the architectural approaches of central versus distributed to suggest that the CS1 can be located within the IXC. Such a convenient interpretation is simply premised on nothing short of impermissible hindsight in view of the claimed features.

Rangachar provides no motivation for the modification that the Office Action is proposing. There is no technical basis for the suggested modification of the *Rangachar* system for placing the CS1 (assuming the CS1 even possesses the claimed features) within the IXC network. Applicants note that typically the IXC is controlled by a provider that is different from

a provider of the LEC; as such, there would be no incentive for one provider to place equipment into another provider's network, particularly if the services can be implemented by a single provider. Therefore, Applicants respectfully submit that the Office Action has presented no substantial evidence showing a teaching or motivation for the modification. *In Re Gartside*, 203 F.3d 1305, 53 USPQ2d 1769 (Fed. Cir. 2000).


As regards the obviousness rejection of claims 9, 12-13, Applicants note that the secondary reference of *McConnell* does not cure the deficiencies of *Rangachar*, as discussed above. The Office Action merely applies *McConnell* for its supposed teaching of SS7. The obviousness rejection is thus unsustainable, in that even the combination of *Rangachar* and *McConnell* fails to disclose the above claimed features.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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APPENDIX

17. (Currently Amended) The system as recited in claim 10, wherein the special service call number is [a] an "800" number.